

IN THE NAME OF THE PEOPLE OF THE STATE OF ILLINOIS
ILLINOIS WORKERS' COMPENSATION COMMISSION
SUBPOENA



Employee/Petitioner

Case # _____ WC _____

v.

Employer/Respondent

TO:

YOU ARE COMMANDED TO APPEAR TO TESTIFY BEFORE _____ OF THE COMMISSION
Name of arbitrator or commissioner

AT _____ ON _____, AT _____
Address Date Time

AND TO BRING THE FOLLOWING ITEMS IN YOUR POSSESSION OR CONTROL:

☐ THE PETITIONER AND RESPONDENT HAVE AGREED THAT, INSTEAD OF APPEARING, YOU MAY MAIL THE
ITEMS TO THE PERSON LISTED BELOW. (DO NOT MAIL SUBPOENAED ITEMS TO THE COMMISSION.)

Name of person requesting this subpoena

AT _____
Address, Telephone number, Email address

FAILURE TO RESPOND TO THIS SUBPOENA WILL SUBJECT YOU TO THE PENALTIES PRESCRIBED BY LAW.*

Dennis R. Rutt
Signature

Date

The legislature changed the name of the Illinois Industrial Commission to the Illinois Workers' Compensation Commission, effective 1/1/05. The law states that any reference to the Industrial Commission, such as those that appear below, shall be considered a reference to the Workers' Compensation Commission.

From the *Rules Governing Practice Before the Industrial Commission*
50 Illinois Administrative Code

Section 7030.50 Subpoena Practice

a) Issuance

A blank form of subpoena for the attendance of witnesses or the production of documents will be furnished by the Secretary of the Commission upon request of the parties or their attorneys.

b) Use

Unless otherwise agreed by the parties, witnesses or documents may only be subpoenaed to appear or be produced at the time and place set for hearing of the cause.

c) Service

Personal service of the subpoena is required and payment of statutory fee and travel expense must accompany the service.

d)

- 1) Upon failure of any person, firm or organization to obey a subpoena of the Illinois Industrial Commission, a party seeking enforcement of the subpoena, or his attorney, shall prepare an application to the Circuit Court of the county in which the hearing or claim is pending requesting enforcement of the subpoena pursuant to Section 16 of the Illinois Workers' Compensation Act and shall present, file and serve on opposing party said application together with the original subpoena and proof of service to the Arbitrator or Commissioner designated to hear the said claim, or if no Arbitrator or Commission has been designated, then to the Chairman of the Commission.
- 2) A hearing pursuant to Section 7020.70 shall be held at which the Commissioner or Arbitrator to whom the application is presented shall determine if the subpoena requested relevant information, and was properly issued and served and if the application is proper in form. If the said Commissioner or Arbitrator shall so find, then, he or she shall sign the application. The party seeking enforcement of the subpoena, or his attorney, may then file and prosecute the application in the Circuit Court.